

**MONROE COUNTY BOCC CANAL RESTORATION WORKSHOP DRAFT AGENDA**  
**APRIL 11, 2016**  
**10:00 AM – 3:00 PM**  
**MARATHON GOVERNMENT CENTER 2798 OVERSEAS HIGHWAY**  
**MONROE COUNTY BOCC ROOM 2<sup>ND</sup> FLOOR**  
**MARATHON, FL 33050**

**1. The Need for a Canal Restoration Program**

- a. Welcome and introduction to purpose of workshop
- b. Municipalities:
  - Islamorada, Village of Islands – Mike Forster
  - City of Marathon – George Garrett
  - City of Key Colony Beach – Jerry Ellis
  - City of Layton – Skip Haring
  - City of Key West – Alison Higgins

**2. Public Comment**

**3. Results from the \$5 Million Demo Program**

- a. Summary of the Canal Management Master Plan
  - i. Water quality assessment of all canals, prioritized them for need for restoration, identified various restoration options for each canal
  - ii. Did not develop conceptual designs, costs, or schedule for implementation
  - iii. Did provide enough information to start evaluating restorations
- b. Demonstration Project Construction Updates
- c. Water Quality Improvements -before and after – are they working?
- d. Budget Expenditures

**4. Regulatory Requirements Related to Canal Water Quality Impairments – Are We Mandated?**

- a. Monroe County Attorney’s Memorandum on Canal Restoration Regulatory Background State’s Clean Water Act, TMDL - What would trigger a TMDL and Consequences of No Action
- b. Florida Keys National Marine Sanctuary and Protection Act – law mandated development of a Water Quality Protection Program which is administered by DEP and EPA - canal restoration is identified as a top priority and next challenge in the Water Quality Improvement Plan - Sean Morton FKNMS
- c. Overview of Reasonable Assurance Documents – EPA Letter dated August 28, 2015 - Steve Blackburn EPA
- d. DEP Impaired canals and requirements – DEP Letter dated September 10, 2015 - Jon Iglehart/Gus Rios DEP
- e. TMDL program requirements – practical aspects of TMDL versus Reasonable Assurance Document - Walt Reigner

**LUNCH**

**5. Long-Term Financing Strategies for Canal Restorations**

- a. Summary of known funding sources – grants, legislative, Restore Act, Stewardship Bill, Infrastructure taxes
  - i. Test of use of infrastructure tax dollars for canal restorations

- b. Issues to be addressed (30 mins)
  - i. Ownership of canal waters and canal bottoms
  - ii. Can canals be public facilities?
  - iii. Liability apportionment for canal conditions
  - iv. Does the County have the Right of Use of canals to close them to boat traffic (with no ownership issues)
  - v. Resident notification and approval process for doing work in a canal when ownership is not documented.
    - Current: minimum 75% signed returned homeowner letter approval required.
    - New Recommendation: Outgoing Notification letter and community meeting only. Plus permit process notification.
  - vi. Resident notification and approval process for doing work in a canal when ownership is private
  - vii. Sea Level Rise Impact on selection of canals for restoration – policy decision is needed
- c. Overview of general revenue tools, such as assessments, taxing, MSBU, MSTU and Fee for Service using Equivalent Residential Units (ERUs)
- d. Actual Funding Strategies Used throughout Florida
- e. Considerations for Long-term Financing
  - i. Equity of Apportionment (all land owners, only water front property owners, undeveloped lots, County owned lots, Federal or State owned lots, Tiered fee approach). Have residents define their jurisdiction if it is an MSTU.
  - ii. How much can the County manage/spend per year (level and extent of service)
- f. Integrated Approach – multiple sources of funding
  - i. Private/Public Partnership - Homeowner funding participation - voluntary or required? What % do the residents pay? Matching funds moves the canal up in prioritization for selection for restoration.
  - ii. Operation and maintenance after 2 years – MOU needed, County oversight?
  - iii. Long term

## 6. Need for a Long Term Implementation and Funding Plan

- a. Develop a strategic implementation plan and funding scheme
  - i. Cost of full restoration
    - a. Quantify muck thicknesses and disposal options
  - ii. Update water quality monitoring data
  - iii. Annual expenditures
  - iv. Management of program
  - v. Schedule
  - vi. How to Measure Success

## 7. Benefits to Residents

## 8. Future BOCC Actions

Staff Direction Needed:

- For moving forward with a canal restoration program
- For approval for funding development of an Implementation Plan
- To solicit for a Continuing Services Engineering Contract for canal restoration services
- To select and move forward with implementation of a funding strategy at one canal as a demonstration project
- For change in the homeowner approval process
- On homeowner participation levels

- To research the influences of sea level rise on canal restorations

## 9. **Public Comment**

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